

Executive  
Orders  
and  
Bills

Scope

Disclosure Requirements  
and  
National Security

Oversight

Proposed  
Executive Order

- Extends coverage to Presidentially appointed committees, boards, councils, etc.
- Includes interagency committees established by a department consisting of Government officials only and in existence more than 1 year.
- Same expiration period as EO 11007.

- On January 1 each year furnish to Congress and publish in Federal Register list of all committees \* and name and representation of chairman and of person who can handle requests for information.
- All meetings of advisory and industry advisory committees to be opened to the public. Subject to exceptions (classified information, internal data) in Freedom of Information Act. If no disclosure can be made, committee must at least publish an annual report summarizing activities consistent with security.
- Sec. 15 of Order provides no provision of Order applies if inconsistent with a statute.

- Presidential committees to be overseen by OMB unless provided to the contrary by establishing authority.
- OMB to issue guidance to agencies and departments to manage inter-agency committees.

\*Intra agency committees excluded by definition.

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H. R. 4383  
(Monagan)  
Feb. 17, 1971

- Includes all of Proposed Executive Order.
- OMB, with CSC, to establish rates to pay for staffs and consultants, unless otherwise provided by statute, not to exceed GS-18.

- Director, OMB to furnish Library of Congress 8 copies of every report made by an advisory committee, and as appropriate, background papers by consultants, subject to Freedom of Information Act.
- President to furnish Congress annual reports to include: names of committees and members; functions; reference to reports; costs.
- All committees to keep records to show disposition of funds and activities. Comptroller General shall have access to, for audit, all books, papers and records of each advisory committee.
- Requires timely public notice of meetings, except where notice would endanger national defense and foreign policy.

- Congressional committees of jurisdiction are to review all committees and secure necessary legislation to merge, abolish or revise.
- OMB to review all advisory committees and make recommendations to the President.
- OMB to establish Committee Management Secretariat to provide administrative guidance and management controls.

Executive Orders and Bills	Scope	Disclosure Requirements and National Security	Oversight
S. 3529 (Metcalf) April 25, 1972	<ul style="list-style-type: none"> <li>Includes only committees not composed wholly of officers of the Government.</li> <li>Advisory committees in existence shall terminate December 1973 unless renewed by the President is established. If established by law, termination must be otherwise provided by law.</li> <li>Limits compensation of members and staff to GS-18 salary.</li> </ul>	<ul style="list-style-type: none"> <li>Provides copies of committee reports to Library of Congress and grants Library of Congress full access to committee records and papers. Public access permitted subject to restrictions by the Librarian if material is classified.</li> <li>Agencies to maintain records showing disposition of funds and activities. GSA to maintain these files for Presidential Advisory Committees. Comptroller General to have full access to both records.</li> <li>All meetings of advisory committees to be open to public unless agency head determines meetings involve protected matter under Freedom of Information Act. Such determination shall be published in Federal Register. Anyone aggrieved of this decision may seek court action under Freedom of Information Act.</li> <li>No committee may meet until a charter has been filed with OMB for Presidential advisory committees, and for others with Congressional committee of jurisdiction and Library of</li> </ul>	<ul style="list-style-type: none"> <li>Same Congressional review as in H.R. 4383.</li> <li>Same responsibilities of OMB.</li> <li>Agency heads to establish procedures consistent with OMB guidance and <u>Freedom of Information Act</u>.</li> </ul>

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S. 3529  
(Con't.)

Congress. Charter to include objectives, scope of activity costs, duties and duration.

- Director, OMB, shall submit to Congress and publish in Federal Register a report giving run down on activities, membership and cost of advisory committees. The Director shall exclude any information which in his judgment may compromise national security.
- Presidential committee to be provided administrative support by GSA.

EO 11007	<ul style="list-style-type: none"> <li>Includes any committee, board, council, etc. not composed wholly of U.S. Government employees formed by a department or agency. *</li> <li>Industry committees include representatives of one industry or related industries.</li> <li>No advisory committee may be formed or used unless authorized by law or determined by agency head to be in public interest.</li> <li>Advisory committee to terminate after two years unless provided by law or unless agency head extends in public interest.</li> </ul>	<ul style="list-style-type: none"> <li>Departments must publish annual report showing list of committee names, functions and meeting dates unless costly or impracticable.</li> <li>Copy of annual report plus all studies, reports, analyses to Attorney General, upon request, and subject to security restrictions.</li> </ul>	Agency or department head	
	<p>*OMB Circular No. A-63 applies to interagency committee, which inter alia, requires publication in Federal Register unless inconsistent with law, regulations or not in national interest.</p>			

Executive Orders and Bills	Scope	Disclosure Requirements and National Security	Oversight	Intelligence Activities Affected
S. 1637 (Metcalf) April 22, 1971	<ul style="list-style-type: none"> <li>Includes any advisory group, committee, board etc. not composed wholly of officers or employees of the Government.</li> <li><u>EXCLUDES</u> any committee which furnishes advice or recommendations only with respect to national security or intelligence matters.</li> </ul>	<ul style="list-style-type: none"> <li>Advisory committee meetings are to be public.</li> <li>Annual reports must be filed with Library of Congress and made available to the public.</li> <li>Court action may be taken against an agency by any person aggrieved by action of an advisory committee.</li> </ul>		



**CENTRAL INTELLIGENCE AGENCY**

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30 May 1972

**TO: Mr. Roy R. Banner**  
**General Counsel, NSA**  
**Ft. Meade, Maryland 20755**

**STATINTL**

Per our conversation, attached is the analysis which [REDACTED] of our office did on the bills and Executive orders, as well as other material in which you might be interested.

Please let us know if you have any thoughts.

**STATINTL**

[REDACTED]

FORM 6-68 **1533** OBSOLETE  
PREVIOUS  
EDITIONS

(40)